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KILPATRICK TOWNSEND & STOCKTON LLP TWO EMBARCADERO CENTER EIGHTH FLOOR SAN FRANCISCO CA 94111-3834 **MAILED**FEB 1 5 2011

OFFICE OF PETITIONS

In re Patent No. 7,662,849

: DECISION ON REQUEST

Patterson, et al.

: FOR

Issue Date: February 16, 2010

: RECONSIDERATION OF

Application No. 10/559,405

: PATENT TERM ADJUSTMENT

Filed: June 26, 2006

: and

Atty Docket No. **026503-005010US** 

: NOTICE OF INTENT TO ISSUE : CERTIFICATE OF CORRECTION

This is a decision on the petition filed on May 24, 2010, which is being treated as a petition under 37 CFR 1.705(d) requesting that the patent term adjustment indicated on the above-identified patent be corrected to indicate that the term of the above-identified patent is extended or adjusted by eight hundred (800) days.

The petition to correct the patent term adjustment indicated on the above-identified patent to indicate that the term of the above-identified patent is extended or adjusted by eight hundred (800) days is **GRANTED.** 

Deposit account 20-1430 will be charged \$200. 00 for the fee set forth in 37 CFR 1.18(e). No additional fees are required.

The Office will *sua sponte* issue a certificate of correction. Pursuant to 37 CFR 1.322, the Office will not issue a certificate of correction without first providing assignee or patentee an opportunity to be heard. Accordingly, patentee is given **one (1) month or thirty (30) days**, whichever is longer, from the mail date of this decision to respond. No extensions of time will be granted under § 1.136.

The application is being forwarded to the Certificates of Correction Branch for issuance of a certificate of correction. The Office will issue a certificate of correction indicating that the term of the above-identified patent is extended or adjusted by eight hundred (800) days.

Telephone inquiries specific to this matter should be directed to the undersigned, at (571) 272-3222.

/Kenya A. McLaughlin/

Kenya A. McLaughlin Petitions Attorney Office of Petitions

Enclosure: Copy of DRAFT Certificate of Correction

## **DRAFT COPY**

## UNITED STATES PATENT AND TRADEMARK OFFICE

## **CERTIFICATE OF CORRECTION**

**PATENT** 

: 7,662,849 B2

DATED

: Feb. 16, 2010

INVENTOR(S): Patterson, et al.

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the cover page,

Subject to any disclaimer, the term of this patent is extended or adjusted [\*] Notice: under 35 USC 154(b) by (579) days

Delete the phrase "by 579 days" and insert – by 800 days--